



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:  
Joseph Pasqua

Serial No. 10/624,048

Filed: July 21, 2003

For: CLUSTER COMMUNICATION IN  
HEARTBEAT MESSAGES

Group Art Unit: 2661  
Examiner: Unknown

Atty. Dkt. No. 5760-12500

I hereby certify that this correspondence is being deposited  
with the U.S. Postal Service as First Class Mail in an envelope  
addressed to: Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, on the date indicated below:

Rory D. Rankin  
Registered Representative

1/8/04  
Date

Signature

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant requests consideration of ☒ the references listed on the attached Form PTO-1449 and/or ☐ the additional information identified below in paragraph 3.

- ☒ A copy of each required reference listed on the Form PTO-1449 is enclosed.
- ☐ The references listed on the Form PTO-1449 were previously cited in application serial no. \_\_\_\_\_ to which the captioned application is seeking priority under 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.
- ☐ The present application is a U.S. national patent application filed after June 30, 2003, or an international application that entered the national stage under 35 USC § 371 after June 30, 2003. Therefore, copies of the cited U.S. patents and/or U.S. patent application publications are not enclosed.

1. This Information Disclosure Statement is submitted:


- a. ☐ within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- ☐ within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;
- ☒ before the mailing date of a first Office Action on the merits; or
- ☐ before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

- b. ☐ after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: ☐ the certification of paragraph 2 below is provided, or ☐ a fee of \$180.00 is enclosed.
- c. ☐ after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.
2. It is hereby certified:
- ☐ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.
3. ☐ Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:
4. For each non-English language reference listed on the attached Form PTO-1449:
- ☐ reference is made to an English language translation submitted herewith, and/or
- ☐ reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
- ☐ reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
- ☐ reference is made to the concise explanation contained in the specification of the present application at page(s) \_\_\_\_\_, and/or
- ☐ reference is made to the concise explanation set forth below:
5. ☐ Applicant also offers the following comments for the Examiner's consideration:
6. ☐ Also enclosed is a copy of a foreign search report citing these references.
7. ☐ The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.

8. ☐ Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5760-12500/RDR.

Respectfully submitted,

  
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Date: 1/8/04

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<b>Form PTO-1449</b> (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary)	ATTY. DKT. NO. 5760-12500  APPLICANT: Joseph Pasqua  FILING DATE: July 21, 2003	SERIAL NO. 10/624,048  GROUP: 2661
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## U.S. PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE APPROPRIAT

## FOREIGN PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATIO YES/NO

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	A1	"Tutorial on Reed-Solomon Coding for Fault-Tolerance in RAID-like Systems"; James S. Plank; Department of Computer Science; University of Tennessee; February 19, 1999; pages 1-19.
	A2	"A Digital Fountain Approach to Reliable Distribution of Bulk Data"; John W. Byers, Michael Luby, Michael Mitzenmacher, & Ashutosh Rege; February 13, 1998; International Computer Science Institute; Berkeley, CA pages 1-20.
	A3	"Practical Loss-Resilient Codes"; Michael Luby, Michael Mitzenmacher, Amin Shokrollahi, Daniel Spielman, & Volker Stemann; International Computer Science Institute, Berkeley, CA; May 1997; Presented at The Twenty-Ninth Annual ACM Symposium on Theory of Computing (STOC); pages 1-19 with Abstract.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

Information Disclosure Statement--PTO 1449 (modified)